



AS/176

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Philip Connolly
SERIAL NO: 10/045,803
FILED: January 12, 2002
FOR: Method of Enhancing Absorption
and Utilization of Protein

GAU: 1761
EXAMINER: K. D. Hendricks
St. Louis, Missouri
Date: January 23, 2008
DN: 7287

I hereby certify that this correspondence is being deposited with the
U.S. Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

Attorney

Date of Signature

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF FOR APPLICANT

Sir:

This is in response to the examiner's answer.

Examiner questioned the claims under section 35 U.S.C §112. The examiner states that none of the amounts are provided for the ingredients of the milk protein concentrate. Claim 1 states that the protein content of the concentrate is between 65% and 90% of the composition, and that the probiotic bacteria, which is identified in claim 2, is in the amounts specified. Then, the user consumes 1.5 grams to approximately 4.0 grams of the protein per kilogram of body weight. These can all be fairly accurately determined, for the concentrate. Thus, it is believed that there is sufficient data provided in the claims, and which finds support in the specification, for determining the amounts of the ingredients for the concentrate.

Respectfully submitted,

Paul M. Denk
Attorney for Applicant
Pat. Off. Reg. No. 22,598
763 South New Ballas Road, Ste. 170
St. Louis, Missouri 63141
(314) 872-8136

PMD/jk